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Brigitte Snider

Name

  
Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Edward W. Sheridan

Serial No.: 10/759,885

Filed: January 15, 2004

For: HYDRIDE BASED NANO-STRUCTURED  
ENERGY DENSE ENERGETIC MATERIALS

Examiner: Jason L. Savage

Group Art Unit: 1775

**TERMINAL DISCLAIMER TO OBVIATE PROVISIONAL DOUBLE PATENTING  
REJECTIONS OVER CO-PENDING PATENT APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

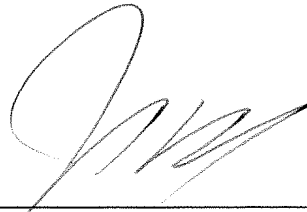
Sir:

The owner of all the interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer, of co-pending **U.S. Patent Application No. 10/923,865 (US 2005/0189050)**. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

**U.S. Patent Application No. 10/923,865**

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record. The fee under 37 CFR 1.20(d) is included. Authorization is given to charge payment of any additional fees required, or credit any overpayment, to Deposit Acct. 13-4213.



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